

In the Drawings:

The attached drawing sheets includes changes to Figs. 4, 8, 9, 20, 21 and 27.

Specifically:

In Figs. 4 and 20, "YORK" has been corrected to --YOKE--;

In Fig. 8, insert reference numeral --132--;

In Fig. 9, insert reference numeral --33--;

In Fig. 21, "RIVING" in element 29 has been corrected to --DRIVING--; and

In Fig. 27, "Z-MEASURING" on the right side has been corrected to --X-MEASURING--.

These sheets which include Figs. 4, 8, 9, 20, 21 and 27 replace the original sheets including Figs. 4, 8, 9, 20, 21 and 27.

Attachments: Four (5) Replacement Drawing Sheets.

REMARKS**I. Status of the Claims:**

Claims 1-55 are currently pending in the application. Claims 18-21, 24 and 34-37 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form.

By this Amendment, claims 1, 10, 17, 20, 26, 30, 32, 34-39, 53 and 55 have been amended. Upon entry of this Amendment, claims 1-55 would still be pending. No new matter is introduced by this Amendment and thus entry and consideration of this Amendment are respectfully requested.

II. Drawing Objections:

The drawings are objected to because of various minor informalities. By this Amendment, the drawings have been amended in accordance with the Examiner's suggestions. Further, as noted below, Figs. 8 and 9 have also been amended to reflect the reference numerals 132 and 33.

In view of the foregoing, withdrawal of the drawing objection is respectfully requested, and entry and approval of the drawings are respectfully requested.

III. Specification Objections:

The specification is objected to because of some minor informalities. By this Amendment, the specification have generally been amended in accordance with the Examiner's suggestions.

With respect to the paragraph on page 28 concerning magnetic blocks and electromagnets 33, Figs. 8 and 9 as well as the specification have been amended to reflect that the reference numeral “132” refers to magnetic blocks and the reference numeral “33” refers to electromagnets in these figures.

With respect to “Kinetic Mount 62”, the Applicants respectfully submit that this element is shown for example on Figs. 17-19.

Accordingly, reconsideration and withdrawal of the specification objection are respectfully requested.

IV. Claim Objections:

Claims 1, 10, 17, 38, 53 and 55 are objected to because of some minor informalities. By this Amendment, the claims have been amended as suggested by the Examiner.

Further, with respect to claim 17, this claim further positively recites the optical element and thus is believed to be in compliance with Rule 1.75(c).

Accordingly, reconsideration and withdrawal of the claim objection are respectfully requested.

V. Claim Rejections under 35 U.S.C. § 112:

Claims 20, 30, 32, 34-37 and 39 are rejected under 35 U.S.C. §112, second paragraph. These claims have been amended to address the Examiner’s concerns.

Accordingly, reconsideration and withdrawal of the claim rejection are respectfully requested.

VI. Claim Rejections under 35 U.S.C. §§ 102 and 103:

Claims 1-17 and 22 are rejected under 35 U.S.C. §102(e) as being anticipated by Andeen et al. (US 6,355,994). Claims 30 and 54 are rejected under 35 U.S.C. §102(e) as being anticipated by Nishi (US 2002/0018192). Furthermore, claim 23 is rejected under 35 U.S.C. §103(a) as being unpatentable over Andeen et al. in view of Nishi (US 6,841,323, hereinafter Nishi '323). Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over Andeen et al. in view of Yoshitake et al. (US 2003/0121022). Claims 26, 29, 32 and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable by Nishi. Claims 40-42 and 45-46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Andeen et al. Claim 47 is rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Andeen et al. and in further view of Han et al. (US 6,477,898). Claims 43-44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Watanabe et al. (US 6,437,864). Claims 48-51 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Tanaka (US 6,940,582). Claims 53 and 55 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Yoshitake et al.

Claim 1 is directed to a positioning apparatus comprising: first measurement means for measuring a position and/or inclination of a moving part having an optical element while being kept from contact with said moving part; and driving means capable of driving said moving part in directions of six axes with respect to a fixed part while being kept from contact with said moving part, based on the result of measurement by said first measurement means. As further amended, claim 1 has been amended to further reflect that the optical element is part of an optical system to guide light to expose.

For example, the optical element is part of an optical system (or projection system) to guide light to expose a body, e.g., wafer.

With reference to Andeen, as best understood, the Examiner is primarily relying upon the various components of Andeen's platform or table upon which a wafer is placed to read on the optical element and other aspects of claim 1. Thus, Andeen as relied upon by the Examiner does not appear to disclose or suggest a first measurement means and driving means in the context of a positioning arrangement for an optical element that is part of an optical system (or projection system) for guiding light to expose a body.

The remaining Nishi as relied upon by the Examiner also pertains simply to the wafer platform or baseboard upon which a wafer is placed and components thereof. As such, Nishi also does not appear to disclose or suggest the positioning arrangements, as claimed, for an optical element that is part of an optical system (or projection system) to guide light to expose a body.

Accordingly, claim 1 and its dependent claims are distinguishable over the cited references. For similar reasons, claims 26 and 30 as amended are also distinguishable over the cited references.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment and Request for Reconsideration to Deposit Account No. 13-4500, Order No. 1232-5335.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5335.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: 11/1/06By: 

James Hwa
Registration No. 42,680
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101